REASONS

Humbly propoſed againſt that Part of the BILL, (Entituled, *A BILL to prevent Miſchievous Practices, tending to the Deſtruction of the* PILCHARD-FISHERY *in* Devon, *and* Cornwall) which Limits the Fiſhing with *DRIFT-NETS.*

THE Bill recites an Act of Parliament made 14 *Car.* II. for Regulation of the ſaid *Pilchard*-Fiſhery, wherein ſeveral Remedies are provided againſt uſing of Drift-Nets, and that by the increaſe of Drift-Nets ſince that time, it is apparent that the Remedies by the ſaid Act provided were ineffectual, and the pains and penalties thereby appointed too mean. Therefore the firſt Clauſe of this Bill propoſes, That no perſon in any year from the firſt day of *June* until the laſt day of *Novemb.* in any Bay, Port, Creek, or Coaſts of or adjacent, or belonging unto the Counties of *Cornwall* or *Devon*, ſhall fiſh with, or ſet, uſe or imploy any Drift-Nets, or other Nets of that kind, within the diſtance of one League and half at the leaſt from the reſpective Shores, under the penalty of for every offence, and the forfeiture of their Nets, the ſaid Nets to be ſeized by any perſon or perſon (by Warrant from a Juſtice of the Peace) and delivered to the Conſtable or Tything-man of the Pariſh or Liberty where they ſhall be ſo ſeized, who is to re-deliver the ſaid Nets to the party that ſeized the ſame, at the end of ten days after the Seizure as forfeited, unleſs the Owners of the Nets do within the ſaid ten days depoſite in ready Money in a Juſtice of Peace's hands, double the value of the ſaid Nets, and full Coſts of ſeizing the ſame, and enter into a Recognizance of 40 *l.* to appear and try the matter at the next Quarter-Seſſions for the ſaid County, *&c.*

If this Bill paſs as it is now pen'd, it will certainly deſtroy the Fiſhery of Drift-Nets, and in effect ruin ſeveral Thouſands in the ſaid Counties, who abſolutely depend upon the ſaid Fiſhery.

I. For that the *Mounts*-Bay, and other Bayes in the ſaid Counties, (where the ſaid Fiſhery is uſed) being very deep Bayes, and not three Leagues over, ſuch Boats as belong to the ſaid Bayes (if they are obliged to fiſh a League and half from the reſpective Shores) muſt then Sail above four Leagues from their Ports, to bring themſelves without the limitation in the Bill, and muſt neceſſarily Sail two or three Leagues further, which will in all be ſix or ſeven Leagues from their Ports, to keep themſelves free from the penalty of this Act; and (the uſual time for laying out their Nets being about Sun-ſet) as the Wind and Tide may happen, they will be carried off towards the *French*-Coaſt, or ſo remote, as they ſhall not be able to return to the Ports they went out from, until their Fiſh are become unfit to be Salted for *Fumathoes*; and very often the Boats and Men in danger of Periſhing in the Sea, and (during War) of being taken by the Enemy.

II. For if driving Boats do lay out their Nets but a League and half from the Shore, the Tide in many places runs ſo violently, that upon flowing Water, it will in a ſhort time carry them within half a League of the Shore, and ſo bring them within the penalty of this Act notwithſtanding their utmoſt endeavours to the contrary.

III. That the Bill gives liberty for any perſon by Warrant from a Juſtice of Peace to ſearch for and ſeize any Nets ſuſpected to have Fiſhed within the Limitation of the Act, ſo that if it ſhall happen that the Nets be driven never ſo little

little within a League and half from the Shore (though unwittingly) any person by vertue of such Warrant may seize the said Nets, which by this Act will become forfeited to the person who seized the same, without trial or proof, by reason those men who use that Trade being for the most part poor men, and unable to deposite double the value of their Nets, and to find Security in 40 *l.* as this Act will require, by which means many of them will be ruined, and their Families become very burdensome to the Neighbourhood.

It is well known that the Fishery of this Kingdom doth in a great degree promote the maintenance of Trade, and support of Navigation. And it is as evident to those who use the Fishery ~~with Drift-Nets~~, that the Pilchard-*Fishery is improved, and the number of Seamen increased by that Fishery, and that it is of greater Benefit to the Kingdom than the Sayns, and therefore ought rather to be encouraged.* W. Drift Net

I. For when (by reason of the unusual largeness and great strength of the *Pilchards*, the Saynes had not that effect in taking them, and they not coming to the Shores (so frequently as in former time they used to do) the Fishery with Saynes fell into decay, the poor Fishermen then destitute of Imployment, (their Wives and Children being forced to beg for subsistence about the Country) applied themselves to Fishing with Drift-Nets, whereby in a short time they became able to maintain their Families, without being chargeable to their respective Parishes; and the Fishery with Drift-Nets do now take yearly in the *Mounts-Bay* only, between four and five Thousand Hogsheads of *Pilchards*, and in both the said Counties they take at least two third parts of all the *Pilchards* that are taken yearly.

II. That the Fishery with Drift-Nets is a more certain way of taking *Pilchards* than with Saynes, for that they fish with Drift-Nets in any place wheresoever they observe the *Pilchards* to be: Whereas those who are imployed in the Sayneing-Trade, must wait with their Saynes near the Shore, and can take no *Pilchards* but in certain particular places, and that when they come very near the Shore, which the *Pilchards* hath not frequently done for many years last past.

III. That the benefit of the Fishery with Drift-Nets falls into the hands of several Thousands of People, and Imploys the Fishermens Wives and Children in preparing their Hemp, Spining Thred, and making their Nets: Whereas the Fishery with Saynes is carried on by certain particular Gentlemen and Merchants, who never did use above a fourth part of the Thred and Netting which the Drift-Nets doth.

IV. That the Fishery with Drift-Nets Imploy more People, and makes more Seamen than the Fishery with Saynes ever did, or can; for whereas the Fishery with Saynes in the said *Mounts-Bay* did not at any time Imploy above 500 men (whereof 200 were Husband-men, who only assisted them from the shore) the Fishery with Drift-Nets in the said *Mounts-Bay*, Imploys between four and five hundred Boats, and in each Boat from three to five men (and so proportionable in other Places) so that the Seamen are increased by reason of the Fishery with Drift-Nets, to four times the number that were at any time employed by the Saynes.

Now whereas the Fishery for taking *Pilchards* with Saynes, have always been carried on by Gentlemen and Merchants (who now pretend they are prejudiced in their Fishery, by the Fishery with Drift-Nets) and the Fishery with Drift-Nets undertaken only by poor Indigent Fishermen, it may be reasonably supposed that the frequent Parliaments we have had the last 27 years, would doubtless have supplied any defect in the said Statute 14 *Car.* 2. by laying greater penalties, *&c.* (as is now proposed by this Bill) if it were not evident, that the Fishery with Drift-Nets was of great importance both to Trade and Navigation.

And if it were not thought fit in times of publick Peace, and free Trade to put any greater Restraints or Penalties on the Fishery with Drift-Nets, Whether it may be now more consisting with the present Circumstances of Affairs, to do a thing so contrary to the Interest of the Kingdom, is here humbly submitted to be considered of, as also what means may reasonably be proposed to support the great number of People that will then want Employment, especially in the West parts of *Cornwall*.

80092